

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹
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ORDER REGARDING MOTION TO WITHDRAW COUNSEL

The Court has received and reviewed the *Motion Requesting Leave to Withdraw Legal Representation and Objection to Filing No. 16638* (Docket Entry No. 16873 in Case No. 17-3283, the “Motion”) filed by counsel of record for Jeanetta Pirtle and Humberto Medina-Torres (the “Claimants”). Among other things, the Motion seeks leave to withdraw legal representation, and to allow “30 additional days be granted Claimants to retain new legal representation[.]” (Mot. at 4.) The Motion is deemed filed pursuant to Local Bankruptcy Rule 9010-1(d)(3)(C), which provides that “[a]n attorney must file a Motion for Leave to Withdraw if any of the requirements set forth in subparagraph (A) are lacking, and must serve that motion upon the parties listed in subparagraph (B). Counsel remains the attorney of record in the case and/or proceeding until the court enters an order granting the withdrawal.” Local Bankruptcy Rule 9010-1(d)(3)(A) provides that an attorney may withdraw from a case or proceeding without leave of court by filing a notice of withdrawal with the Court, provided that:

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

- i. the notice of withdrawal is accompanied by a notice of appearance of other counsel;
- ii. the attorney seeking to withdraw certifies that his client has been advised regarding the procedures and responsibilities related to appearing pro se, and that after conferring with the attorney, the client has stated his intention to proceed pro se;
- iii. there are no motions pending before the court; and
- iv. no trial or hearing date has been scheduled.

Here, a motion was required because no notice of appearance of other counsel has been filed. In light of the Claimants' pending opposition to the *Three Hundred Fourteenth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System for the Government of the Commonwealth of Puerto Rico to Claims for Which the Debtors Are Not Liable* (Docket Entry No. 16638 in Case No. 17-3283), and the Claimants' reported intent to retain new counsel, the instant request for leave to withdraw as counsel is denied without prejudice to renewal as a notice of withdrawal if it is accompanied by a notice or appearance of new counsel, or as a motion accompanied by a status report as to the clients' effort to retain new counsel, on or before **July 5, 2021**.

SO ORDERED.

Dated: June 3, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge